

FILED

JUL 23 2008


Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA

SOUTHERN DIVISION

JAY A. HEINTZ, * CIV 07-4085

Plaintiff,

vs.

RELIASTAR LIFE INSURANCE *
COMPANY, *

Defendant.

* JUDGMENT OF DISMISSAL

Based upon the Joint Motion for Dismissal, it is hereby,

ORDERED, ADJUDGED AND DECREED that the Complaint of the Plaintiff is hereby dismissed upon the merits, with prejudice, and with each party to pay its own costs and attorney's fees.

Dated this 23rd day of July, 2008.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY: Shelly Maigneau

DEPUTY